PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number. 10/787,123-Conf. #4687 **TRANSMITTAL** Filing Date February 27, 2004 First Named Inventor **FORM** Terry L. Gilton Art Unit 2826 for all correspondence after initial filing) **Examiner Name** R. R. Forde Attorney Docket Number Total Number of Pages in This Submission M4065.1006/P1006-B ENCLOSURES (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to TC Appeal Communication to Board of Licensing-related Papers Fee Attached Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please X Other Endocated Identify below): Extension of Time Request Terminal Disclaimer Response to Election of Species **Express Abandonment Request** Request for Refund Requirement Return Receipt Postcard Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Landscape Table on CD Document(s) Reply to Missing Parts/ Remarks Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name DICKSTEIN SHAPIRO MORINE OSHINSKY LLP Signature Printed name Thomas J. D'Amico Date Reg. No. April 26, 2006 28,371



Docket No.: M4065.1006/P1006-B

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Terry L. Gilton

Application No.: 10/787,123

Filed: February 27, 2004 Art Unit: 2826

For: PROGRAMMABLE CONDUCTOR

MEMORY CELL STRUCTURE AND

METHOD THEREFOR

Confirmation No.: 4687

Examiner: R. R. Forde

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the election requirement set forth in the Office Action mailed March 30, 2006 (Paper No. 20060327), Applicant hereby provisionally elects Species I for continued examination with traverse. At least claims 1, 8-24, 49-51, 55 and 56 read on Species I.